

Application No.: 10/518324
Docket No.: BA9308USPCT

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REMARKS

The Advisory Action for this application indicated that the Amendment After Final would not be entered because Applicants had introduced new issues that need further rejection. The "new issues" appeared to involve an effort to reconcile "Formula 3" compounds as used in certain of the proposed claim amendments with "Formula III" compounds discussed in the application. In order to clarify the "new issues" suggested by the Advisory Action, the undersigned attorney and Dr. Wonpyo Hong (an employee involved with patent matters at E. I. du Pont de Nemours and Company, the assignee of this application) discussed the issues with the Examiner in a telephone conference on September, 2007. The courtesy accorded the undersigned attorney and Dr. Hong during the telephone conference is acknowledged and appreciated.

In the conference, it was noted that certain formulas associated with Arabic numerals are introduced at page 4 of the application; and that although the "optionally substituted pyridine compound" of the described method is not associated with an Arabic numeral at that point, it is clearly associated with "Formula 3" at page 6, line 3. It was also noted that "Formula 3" is not associated with the compounds separately associated with Roman numeral III (i.e., Formula III compounds) which are discussed elsewhere in the application. It was also explained that "Formula 3" was introduced in the claims as a substitute for "optionally substituted pyridine compound" in response to the Examiner's apparent objection to using "optionally substituted pyridine compound" for a scope of compounds that includes pyridine rings that are included in a fused ring system such as quinoline. While the Examiner acknowledged these comments regarding the difference between "Formula 3 compounds" and "Formula III compounds", he suggested that written comments should be submitted.

Applicant further notes that examples of Formula 3 compounds are presented at page 8, lines 24-34; and that these include pyridine, quinoline, isoquinoline and pyridine substituted with alkyl, dimethylamino, or pyrrolidino as recited in Claim 12 of the proposed amendments.

Applicant notes again that Formula 3 is different from Formula III as represented, for example at page 55, line 15 - page 56, line 20, which defines certain compounds that can be prepared from certain fused oxazinones. The fused oxazinones can themselves be prepared in conformance with the process sequence of Claim 12 of the proposed amendments (which uses Formula 3 compounds).


In sum, Applicant respectfully submits that the use of "Formula 3" in claims 12, 13, 15 and 16 as presented in the Amendment After Final for this application, does not present new issues requiring further rejection.

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In view of the foregoing, entry of the amendments provided in the Amendment After Final and allowance of the above-referenced application are respectfully requested.

Respectfully submitted,



DAVID E. HEISER
ATTORNEY FOR APPLICANT
Registration No.: 31,366
Telephone: (302) 892-1926
Facsimile: (302) 892-7949

Dated: September 26, 2007

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